

DURHAM CITY COUNCIL WORK SESSION
Thursday, April 9, 2020 at 1 p.m.
Virtual Meeting via Zoom
MINUTES

Present: Mayor Steve Schewel, Mayor Pro Tempore Jillian Johnson and Council Members Vernetta Alston, Javiera Caballero, DeDreana Freeman, Mark-Anthony Middleton and Charlie Reece. Absent: None.

Also present: City Manager Tom Bonfield, City Attorney Kim Rehberg and City Clerk Diana Schreiber.

Mayor Schewel welcomed all in attendance to the first virtual Work Session via Zoom and asked if Council had announcements.

Each Council Member made remarks of tribute and congratulations to their departing colleague, Council Member Alston. Council Member Alston submitted her resignation from the Durham City Council as of April 9, 2020 at 11:59 pm in order to replace the late NC Representative MaryAnn Black.

Council Member Freeman expressed condolences to individuals passing from COVID-19.

Mayor Schewel announced his video message of *Day 29 of the First Case of COVID-19* in English and Spanish. He also announced CREE Corporation donated 20,000 N-95 masks to Duke University Health Systems.

Mayor Schewel announced there had been a private donation to the City for emergency uses and requested that Council add an agenda item to the current agenda to discuss and authorize the administration to expend the funds. It was the consensus of Council to add the item.

City Manager Bonfield announced his three priority items:

Item 4: Request to Initiate a Neighborhood Protection Overlay for Forest Hills: the item was requested to be referred back to the administration.

Item 17: 2019 Fourth Quarter Crime Report: two attachments were added to the item.

Item 23: Ashton Place Development Loan Commitment: this was a supplemental item added to the agenda.

MOTION by Council Member Middleton, seconded by Mayor Pro Tempore Johnson, to accept the City Manager's Priority Items. Motion passed unanimously.

City Attorney Rehberg and City Clerk Schreiber had no priority items.

Mayor Schewel read each item on the printed agenda and pulled the following items for additional discussion and/or clarification: Items 1, 14, 15, 21, and 22.

The following comments were made but the items were not pulled.

Mayor Pro Tempore Johnson inquired if anyone from the Durham Housing Authority (DHA) was on the line to comment on Item 7, Housing Authority of the City of Durham Grant Funding Request- McDougald Terrace.

City Manager Bonfield responded in that no one was on the line from the DHA but that staff would follow up in writing to the Council in regard to an update on the progress made at McDougald Terrace and how many folks have moved back home.

Council Member Freeman addressed Item 5, Community Development Block Grant (CDBG) Contract with Urban Ministries of Durham, Inc.; and expressed appreciation for demographic information being included in the breakdown.

Council Member Freeman requested additional information on Item 16, Proposed Acceptance of Offer to Donate Property Located at 2702 and 2704 Dearborn Drive.

Related to Item 16, Mayor Schewel expressed appreciation to Mr. Jack Preston for his donation.

Mayor Schewel informed Council that if they had any questions to the 2019 Fourth Quarter Crime Report, they should email questions to Chief Davis and City Manager Bonfield.

Council Member Freeman commented that Item 19, Alpine Road Culvert Replacement (SD-2020-04), was an item that demonstrated the Departments were ensuring that there were Persons of Color not just at the labor level within the selected contract.

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES (ITEM 1/PR 13823)

The topic of how Council Members' remarks were recorded in the minutes.

It was the consensus of Council that the phrase, 'For the record' did not imply that the remarks following the statement were to be written verbatim into the record, but rather a summation of remarks was acceptable. Conversely, if a Council Member had remarks that they wanted included in the record, it was requested that the remarks be provided to the Clerk electronically for this purpose.

Additionally, audio and video of meetings were available online and in turn, memorialized Council's remarks.

Council Member Caballero encouraged the minutes be translated into Spanish.

SUBJECT: LEASE TO THE MUSEUM OF DURHAM HISTORY AT 521 WEST MORGAN STREET, DURHAM, NC (PARCEL #103112) (ITEM 14/ PR 13811)

Council Member Freeman inquired about the terms of the lease and the long-term plans of the Museum.

David Fleisher, General Services Department, noted the term of the lease was 15 years to allow the Museum to conduct their capital campaign and raise long term funding; he added there was a clawback provision within the lease.

Mr. Fleischer stated that he was not aware of the Museum's long-term plans.

SUBJECT: AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK (CMAR) CONTRACT FOR CONSTRUCTION SERVICES WITH SKANSKA USA BUILDING INC. FOR THE HOOVER ROAD PARK PROJECT (ITEM 15/ PR 13845)

Council Member Freeman requested an update on the Hoover Road Project.

Henri Prosperi, General Services Department, explained that the project consisted of a brand new 50-acre park off Hoover Road with four soccer fields along with parking and restrooms.

Mayor Schewel spoke positively in support of the project, the land acquisition and its the project's administration.

SUBJECT: UTILITY EXTENSION AGREEMENT WITH VC OWNER LLC TO SERVE VENABLE CENTER OFFICE (ITEM 21/ PR 13836)

Council Member Freeman inquired about the reimbursement by the city to VC Owner LLC for the utility extension.

Robert Joyner, Public Works- Engineering, confirmed that the City would be reimbursing VC Owner LLC for the up-front costs paid by the contractor and stated this was normal procedure.

SUBJECT: VIRTUAL CHIEF INFORMATION SECURITY OFFICER (VCISO) MANAGER SERVICES (ITEM 22/ PR 13847)

Mayor Schewel inquired if the item was a response to the Malware event and staffing resources.

Kerry Goode, CO and Director of Technology Solutions, related the item to the growth and enhancements to the Cyber Security Program.

Council Member Freeman inquired if it was best to utilize a contractor or hiring additional staff.

Director Goode responded that due to turn-over concerns, it was fortuitous to utilize a managed-services vendor due that provided external backup staffing levels and resiliency.

Director Goode provided an update on system recovery, the speed in enacting core businesses, and spoke to the effort focused on public safety and end-point work station reimaging/redeployment. He stated by end of April, the city's technological systems should be back to normal and that the servers had been hardened.

SUBJECT: ASHTON PLACE DEVELOPMENT LOAN COMMITMENT (ITEM 23/ PR 13890)

Mayor Pro Tempore Johnson inquired about the timeline for the tax credit application associated with the Ashton Place Development Loan Commitment Project.

Reginald Johnson, Director of the Department of Community Development, explained the timeline. He stated the applications were due in mid-May and results were expected in August.

Mayor Schewel asked about how the DHA application scored.

Richard Valzonis, Community Development, updated Council on the three applications submitted to the NC Housing Finance Agency and noted that the three sites received perfect scores.

Mayor Pro Tempore Johnson asked about perfect site scores and opportunities for funding.

Mayor Schewel asked about hearing from DHA regarding gap funding and land costs.

Director Johnson indicated that DHA information was forthcoming.

Mr. Valzonis addressed the topic of land costs and stated the \$925,000 was for additional parking that was included in Phase I construction.

SUBJECT: OTHER MATTER- PRIVATE DONATION FOR EMERGENT NEEDS

Mayor Schewel explained the background of the donation and how the funds would be expended with emphasis on feeding students and seniors along with homelessness; wanted to give advanced approval to the administration to expend the funds; and asked for Council's direction.

Council Member Caballero inquired about the county wide food plan and as needs were being identified in the city, asked for attention to the equity matter of rental assistance for undocumented persons.

Council Member Middleton asked about prioritization of the funds.

City Manager Bonfield addressed the need for feeding children through the Durham Public Schools Foundation and did not support carve-outs.

Council Member Freeman added that needs extended beyond feeding and homelessness, that the costs of burials needed support; and noted that cash/gift cards were of more priority than giving food and concurred with the equity of donations.

Council Member Alston spoke to the future, the funds needed to recover from COVID-19 and appreciated the gesture and expressed gratitude for private funds provided to the community.

Council Member Middleton inquired about the process of disbursement in regard to the feeding programs for students and asked if a check would be cut to the DPSF.

Mayor Schewel spoke to the process that would be utilized by the Durham Public Schools Foundation (DPSF) to replace its former feeding program, prior to COVID-19. Starting next week, the DPSF would be setting up sites around Durham to provide meals to 5500 children. It was estimated that the sites would be open a couple times per week with site coordinators. There was a possibility that parameters could be added to the funds but that they were not yet confirmed.

Council Member Freeman asked about mobile feeding of confined persons.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Caballero, to authorize the City Manager to spend the funds received from a private donation in the next ten days for emergent needs related to COVID-19, in the amount not to exceed the funds provided by the private donor; and

To bring back a report later on how the funds were expended. The motion was approved at 2 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None.

SETTLE THE AGENDA FOR THE APRIL 20, 2020 CITY COUNCIL MEETING

City Manager Bonfield announced that the Consent Agenda consisted of Items 1 through 3, Items 5 through 23.

MOTION by Mayor Pro Tempore Johnson, seconded by Council Member Caballero, to settle the agenda as stated by the City Manager for the April 20, 2020 City Council Meeting. Motion passed unanimously.

City Manager Bonfield referenced Budget and Management Director Bertha Johnson's request to conduct an initial, high-level budget discussion in April and that the Clerk and Budget Director would be coordinating dates with Council.

Mayor Schewel acknowledged three items were in need of attention in the virtual environment:

- How to conduct public comment
- How to conduct public hearings
- How to conduct closed sessions

City Attorney Rehberg responded that she would reach out to Council individually about the closed session matter.

The Work Session adjourned at 2:06 p.m.

Diana Schreiber, CMC, NCCMC
City Clerk